

UNITED STATES OF AMERICA  
DISTRICT OF MASSACHUSETTS

CR No.: 04-10074-JLT

UNITED STATES OF AMERICA       )  
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v.                                                )  
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                                                  )  
PHILLIP HYDE,                               )  
Defendant                                    )

**MOTION FOR EXCESS COMPENSATION**

NOW COMES, Counsel for the defendant in the above-captioned matter and moves that this Honorable Court approve excess compensation in this case for the following reasons:

1. This case involved the offense of mail fraud, having counsel reviewing several documents and having ample conversations with defendant.
2. The case also involved a Writ of Garnish in which counsel advised defendant of before defendant hired Attorney Frisoli to represent him.
3. Defendant had several physical ailments at the time of sentencing requiring counsel to file several motions for stay of sentence.
4. Counsel also prepared and presented a sentencing memorandum for a downward departure based upon the defendant's ailments and family circumstances.
7. This case required far more than the ordinary case to litigate in the manner necessary to afford the defendant a fair trial.

WHEREFORE, Counsel for the defendant moves this Court to authorize compensation in excess of the presumptive maximum fee.

Respectfully submitted,  
**PHILLIP HYDE**  
By her Attorney;

Dated: March 12, 2008

/s/ John LaChance  
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**CERTIFICATE OF SERVICE**

I, John H. LaChance, Esq., do hereby certify that I have served a copy of the foregoing upon the government by electronically filing the same upon Assistant United States Attorney Mark Balthazard located at the Office of the United Attorney, One Courthouse Way, Suite 9200, Boston, MA 02110 by utilizing the CM/ECF internet site on this 12<sup>th</sup> day of March 2008.

/s/ John LaChance  
John H. LaChance, Esquire